

# **Oversight Government Reform Bill**

## **Senate Study Bill 3193**

### **LSB 7093XA**

Next Action:

Senate Appropriations

March 27, 2002

**An Act relating to certain state agency regulatory functions by reorganizing the duties of the department of inspections and appeals, transferring the court appointed special advocate program to the department of inspections and appeals, renaming and revising the duties of the state citizen foster care review board, reorganizing the administrative structure of the department of natural resources, and providing for legislative review of state agencies.**

**Executive Summary Only**



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## **LEGISLATIVE FISCAL BUREAU**

### **NOTES ON BILLS AND AMENDMENTS (NOBA)**

LFB Contact: Douglas Wulf (13250)

## EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

## LSB 7093XA GOVERNMENT REORGANIZATION BILL

### DIVISION I – DEPARTMENT OF INSPECTIONS AND APPEALS REORGANIZATION

- Specifies the definition of the term “administrator” throughout Chapter 10A, Code of Iowa. (Page 1, Line 3, Page 2, Line 1, Page 3, Lines 11 and 32, and Page 4, Line 2)
- Transfers responsibility for administration of inspection and licensing of social and charitable gambling from the Inspections Division to the duties of the Director. (Page 1, Line 9 and Page 3, Line 9)
- Eliminates a requirement that the rulemaking authority of the Director in the area of targeted small business is subject to the review and approval of the Director of the Department of Management. (Page 1, Line 13)
- Eliminates the Audits Division. (Page 1, Line 25)
- Eliminates investigation of proposed sales in Iowa of subdivided land situated outside the State, investigation of applications for beer and liquor licenses, and adds audits of various public assistance programs and the duty to evaluate the results of record checks relating to health care facilities, as duties of the Investigations Division. (Page 2, Line 6)
- Eliminates the responsibility for inspections of educational, correctional, and penal institutions, and add responsibility for home food establishments, egg handlers, food processing plants, grocery stores, convenience stores, temporary food establishments, and mobile food units, as duties of the Inspections Division. (Page 3, Line 14)
- Eliminates the sole authority of the Division of Administrative Hearings for various personnel matters concerning administrative law judges. (Page 4, Line 12)
- Adds the Administrator and staff of the Child Advocacy Board to the list of employees exempted from appointment by the Director of the Department of Inspections and Appeals. (Page 4, Line 30)
- Requires the Court Appointed Special Advocate to submit various reports to the Court and the parties to the proceedings in family in need of assistance and child in need of assistance proceedings. (Page 5, Line 20 through Page 6, Line 21)
- Renames the State Citizen Foster Care Review Board to the Child Advocacy Board, increases the size of the Board from seven to nine members, and attaches it administratively to the Department of Inspections and Appeals. (Page 7, Line 2)
- Directs the Child Advocacy Board to assume responsibility for the functions of the Court Appointed Special Advocate (CASA) in place of the Judicial Branch. (Page 7, Line 13 through Page 8, Line 14)

### DIVISION II – CHILD ADVOCACY BOARD REORGANIZATION

**EXECUTIVE SUMMARY  
NOTES ON BILLS AND AMENDMENTS**

**LSB 7093XA  
GOVERNMENT REORGANIZATION BILL**

**DIVISION II (CONTINUED)**

- Directs the Child Advocacy Board to work with the Court Appointed Special Advocate Program to develop a plan for merging the Program with the Citizen Foster Care Review Process. Directs the Board to review other programs or processes in State government that are intended to address the best interests of a child who is subject to out-of-home placement or other Juvenile Court oversight. (Page 8, Line 15)
- Requires the Board to submit a report to the Governor, the General Assembly, and the Supreme Court on the two study areas by December 16, 2002. (Page 8, Line 15)

**DIVISION III – DEPARTMENT OF  
NATURAL RESOURCES  
REORGANIZATION**

- Eliminates references to the seven existing divisions within the Department of Natural Resources (DNR). (Page 8, Line 28 through Page 24, Line 28)
- Provides the authority to the Director to establish divisions, bureaus, or other administrative entities as appropriate to efficiently and effectively carry out the Department's responsibilities, in consultation with the Natural Resource Commission and the Environmental Protection Commission. (Page 15, Line 5)

**FISCAL IMPACT**

- The current structure of the DNR contains seven divisions and 21 bureaus. The Department plans to establish three divisions and 16 bureaus as part of the reorganization. The Department has indicated it will eliminate four division administrators and five bureau chiefs for an estimated savings of \$414,000 to the General Fund and \$153,000 in other funds.

**TRANSFER OF ABANDONED WELLS  
PROGRAM**

- Transfers the funds and responsibilities related to oversight and testing of private rural water supply wells, private rural water supply well sealing, and the proper closure of private rural abandoned wells and cisterns from the DNR to the Department of Public Health. (Page 20, Line 16)
- It is estimated that \$1.3 million from the Ground Water Protection Fund would transfer to the Department of Public Health and \$111,000 would be kept by DNR for administrative expenses.

**DIVISION IV – LEGISLATIVE  
OVERSIGHT COMMITTEE**

- Adds statutory language creating the Legislative Oversight Committee as a permanent committee of the Legislative Council. Specifies that the charge of the Oversight Committee is to systematically review the programs, agencies, and functions of the Executive and Judicial Branches to ensure that public resources are used in the most efficient manner. (Page 24, Line 31)
- Requires agencies selected for review by the Committee to provide information as requested to the Committee. (Page 25, Line 6)